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In The United States Patent and Trademark Office

Application Number: 10/824,963
 Application Filed: 2004 April 15
 Applicants: Stephen J. Madigan, Jean Blaydes Madigan, Larry E. Hess,
 Cynthia A. Hess
 Application Title: Educational Tracks and Apparatuses
 Examiner/GAU: Allana Lewin/3764

Mailed: January 13, 2006
 At: 232 Zachary Walk, Murphy, TX 75094

Amendment A to First Office Action

Commissioner for Patents
 Washington, District of Columbia 20231

Sir:

In response to the Office Letter mailed October 21, 2005, please amend the above application, originally filed April 15, 2004, and amended August 15, 2005, as follows:

Drawings: Applicants have corrected Figure 1 in accordance with the examiner's recommendation. Figure 1 has been designated "Prior Art" and the replacement sheet has been labeled "Replacement Sheet" in the header. The corrected drawing is attached to this Amendment A.

| | | | |
|--|--|--|----------------------------------|
| Notice of Non-Compliant Amendment (37 CFR 1.121) | | Application No. 10/824,963 | Applicant(s) Art Unit 3764 |
| The amendment document filed on 13 January 2006 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. | | Examiner LEWIN | |
| THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT: | | | |
| <input type="checkbox"/> 1. Amendments to the specification: <input type="checkbox"/> A. Amended paragraph(s) do not include markings. <input type="checkbox"/> B. New paragraph(s) should not be underlined. <input type="checkbox"/> C. Other _____ | | | |
| <input type="checkbox"/> 2. Abstract: <input type="checkbox"/> A. Not presented on a separate sheet, 37 CFR 1.72. <input type="checkbox"/> B. Other _____ | | | |
| <input type="checkbox"/> 3. Amendments to the drawings: <input type="checkbox"/> A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d). <input type="checkbox"/> B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required. <input type="checkbox"/> C. Other _____ | | | |
| <input checked="" type="checkbox"/> 4. Amendments to the claims: <input type="checkbox"/> A. A complete listing of all of the claims is not present. <input type="checkbox"/> B. The listing of claims does not include the text of all pending claims (including withdrawn claims). <input type="checkbox"/> C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended). <input checked="" type="checkbox"/> D. The claims of this amendment paper have not been presented in ascending numerical order. <input checked="" type="checkbox"/> E. Other: <u>Missing Claims 1-22</u> | | | |
| For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at http://www.uspto.gov/web/offices/pat/dmpe/claims/amendment/amendmentformat.pdf . | | | |
| TIME PERIODS FOR FILING A REPLY TO THIS NOTICE: | | | |
| 1. Applicant is given no new time period if the non-compliant amendment is an after-final amendment or an amendment filed after allowances. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted within the time period set forth in the final Office action. | | | |
| 2. Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121. If the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. | | | |
| Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action. | | | |
| Failure to timely respond to this notice will result in: Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment. | | | |
| Legal Instruments Examiner (LIE) | | 571-272-4353 | |
| U.S. Patent and Trademark Office | | Telephone No. | |
| PTOL-324 (08-05) | | Notice of Non-Compliant Amendment (37 CFR 1.121) | |
| | | Part of Paper No. | |

Application Number 10/824,963 (Madigan et al.) GAU 3764 Amendment A contd.

We claim

1. - 22. (Cancelled)

23. An article of educational equipment horizontally traversed by a human comprising:
- a) an enclosed rectangular shaped ladder consisting of
 - i) two elongated, rigid, rectangular rails each rail of equal dimensions,
 - ii) multiple rungs each rung of equal length, perpendicularly affixed to the interior side of each rectangular rail serving to hold the rails in a fixed parallel relationship to each other, and each affixed rung of a height substantially the same, and

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